A Guide to

Rights and Responsibilities

in Alberta Workplaces

Alberta
HUMAN RESOURCES AND EMPLOYMENT

the people & workplace department

The topics are all selected from existing legislation that outlines the rules that employees and employers must follow. Topics include employment standards, workplace health and safety, labour relations, human rights, Workers' Compensation and privacy of employment information.

It will help you by:

- increasing your awareness of the rights and responsibilities that both workers and employers have in the workplace
- identifying the specific government department or agency responsible for workplace legislation
- identifying when provincial legislation applies and when federal legislation applies to the workplace
- providing web addresses and phone numbers to contact, should you need more information.

This publication is available on-line through the Alberta Learning Information Service (ALIS) website—Alberta's leading on-line source for career, learning and employment information. To access this and additional publications, visit **www.alis.gov.ab.ca/careershop**

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This information was accurate, to the best of our knowledge, at the time of printing. Labour market information and educational programs are subject to change, and you are encouraged to confirm with additional sources of information when making career, education and employment decisions. **The material in this publication is intended for informational purposes and is not intended to be used as a source of legal advice.**

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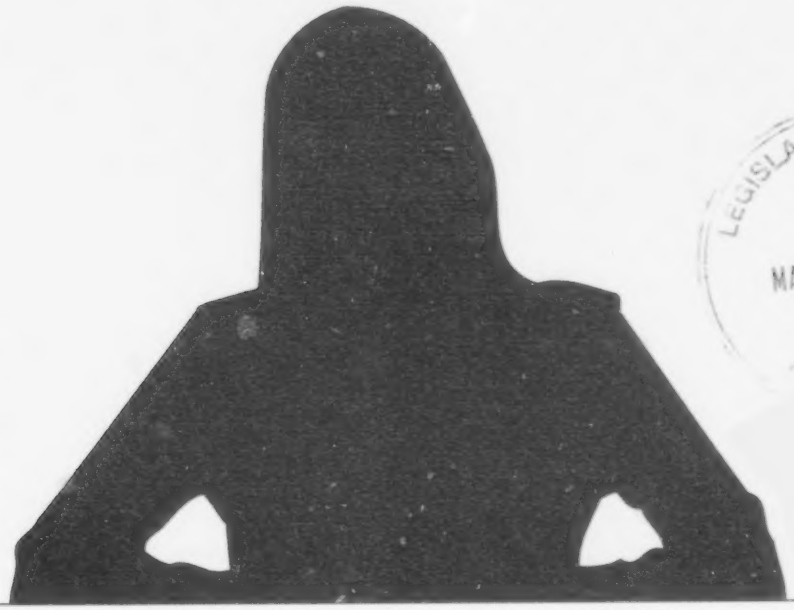

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Who should read this book?

This publication is for people new to their workplace role. You could be a young person applying for your very first job. You could be an immigrant applying for your first job in Alberta. Or you may be a small business owner or manager new to the process of hiring or supervising staff.

Whatever your role in the workplace, the laws of Alberta and Canada have rules about hiring, working and dismissing or laying off employees. There is another way to think of these rules—workplace rights and responsibilities. Sometimes they apply to workers. Sometimes they apply to employers. And sometimes they apply to both.

Finding more information

Because workplace rights and responsibilities are dealt with in many laws and regulations, it is not possible to include everything about these topics in one publication. If you need more information about the issues discussed in this publication or about related topics, you are encouraged to consult the resources listed here, including websites, publications, and toll-free phone numbers.

You can also contact the organizations listed here if you want to make a formal complaint or appeal an employment decision. You don't have to give your name when calling for information. The Key Contacts and Resources section at the back of the book has a helpful summary of workplace resources.

Thanks for helping

Alberta Human Resources and Employment would like to thank the organizations that contributed their information and expertise to this publication:

- *Alberta Advanced Education*
- *Alberta Federation of Labour*
- *Alberta Government Services, Access and Privacy Branch*
- *Alberta Human Rights and Citizenship Commission*
- *Alberta Labour Relations Board*
- *Canadian Federation of Independent Business*
- *Human Resources and Skills Development Canada*
- *Workers' Compensation Board – Alberta*

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The Rules—What Is Covered

This book describes the workplace rights and responsibilities written in Alberta laws and codes, particularly the following:

- *Employment Standards Code*
- *Human Rights, Citizenship and Multiculturalism Act*
- *Occupational Health and Safety Code*
- *Workers' Compensation Act*
- *Labour Relations Code*
- *Freedom of Information and Protection of Privacy Act*
- *Personal Information Protection Act.*

About 90 per cent of Alberta businesses are covered by the Alberta *Employment Standards Code*. However, some businesses and organizations, such as banks and interprovincial trucking companies, fall under the *Canada Labour Code*. This publication does not discuss employment standards as set by the *Canada Labour Code*. For more information about the *Canada Labour Code*, see Government of Canada in Key Contacts and Resources, the last section of this book.

The Alberta *Employment Standards Code* sets minimum standards, including those for earnings, minimum wage, hours of work, days of rest, overtime pay, vacation pay, general holiday pay, maternity and parental leave, termination, and hiring workers under 18.

Entitlements and Benefits

The basic *Employment Standards Code* requirements are **entitlements**. They are something workers are entitled to get and employers must give. When employers offer more than the basic entitlement—for example, by adding to the basic vacation time required by the *Code*—they are providing employees with greater **benefits**.

Some exceptions

Even if the *Employment Standards Code* covers your industry, you might not be covered by some parts of the *Code*. Industries such as construction have different rules for vacation and holiday pay and for giving notice about a job ending.

If, as an employer or worker, you think different rules might apply in your workplace or industry, contact Alberta Human Resources and Employment.

For more information about the ***Employment Standards Code***, contact Employment Standards:

Edmonton: (780) 427-3731

Toll free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: **www.gov.ab.ca/hre/employmentstandards**

1 Before the Job Starts—The Hiring Process

Pre-hiring rights and obligations

Protecting human rights

The *Human Rights, Citizenship and Multiculturalism Act* helps every Albertan by prohibiting discrimination or unfair treatment on the grounds of race, religious belief, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status and sexual orientation.

The Alberta Human Rights and Citizenship Commission, an independent commission of the Government of Alberta, operates under this *Act* to:

- foster equality and reduce discrimination
- provide public information and education programs
- help Albertans resolve human rights complaints.

Alberta's human rights law affects employers and workers during the hiring process by influencing:

- how job applications or notices are written
- the kinds of questions permitted in job interviews.

Employers should be aware of the types of questions that can be asked and answered during the hiring process.

Employers can protect human rights by:

- using job advertisements and application forms that make it clear a job is open to both men and women
- making sure job advertisements and applications do not exclude anyone based on other grounds protected under Alberta's human rights laws
- taking care in job interviews and in reference checks not to ask about race, religious belief, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

Employers can tell applicants that they will be tested for job-related skills. Some jobs require physical co-ordination, strength or the ability to handle stress. In this case, testing is permitted if these abilities are clearly job-related. The same tests must be given to everyone being hired for similar work.

Drug and alcohol testing

Canadian laws on drug and alcohol testing are still evolving. Testing for drugs and alcohol is permitted if the employer can show the test is reasonable and justifiable and does not violate the *Human Rights, Citizenship and Multiculturalism Act*.

For questions about **human rights** issues or to make a complaint, contact the confidential inquiry line at the Alberta Human Rights and Citizenship Commission:

Edmonton: (780) 427-7661
Calgary: (403) 297-6571
Toll-free: dial 310-0000 and then enter the local area code and phone number

Deaf and hard of hearing callers with TTY units call (780) 427-1597 in Edmonton, (403) 297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

For provincewide free access from a cellular phone enter *310 (for Rogers Wireless) or #310 (for Telus).

E-mail: humanrights@gov.ab.ca
Website: **www.albertahumanrights.ab.ca**

Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail.

Security checks

Security checks may be required before you start a job, particularly if you will be working with children, persons with disabilities and the elderly, or handling confidential information or money. When security checks are conducted, they must be given to everyone being hired for similar work and the same standards must be used for everyone being checked.

Social Insurance Numbers

You need a Social Insurance Number (SIN) to work in Alberta and elsewhere in Canada or to receive employment benefits. Your employer also needs your SIN to record your income tax, Canada Pension Plan, and Employment Insurance payments. If you don't have a SIN and are seeking work, visit the nearest Human Resources and Skills Development Canada office to apply for your number or download an application form from the website.

For information about **Social Insurance Numbers**, contact Human Resources and Skills Development Canada:

Phone: 1-800-206-7218 toll-free
Deaf and hard of hearing persons with a TTY call 1-800-890-6096 toll-free.

Website: **www.hrsdc-rhdcc.gc.ca**
Click on Programs & Services and choose Social Insurance Number from the drop-down menu.

Download a SIN application form on-line at:
www100.hrdc.gc.ca/forms/nas2120e.pdf

Rules for hiring young people

Hiring adolescents (12 to 14 years old)

If you are an adolescent aged 12 to 14, you can be hired for work that doesn't endanger your life, health, education or welfare. Employers can hire adolescents to make deliveries for a retail store, deliver newspapers or flyers, or work as clerks in offices or retail stores. For other work, a special permit from Alberta Human Resources and Employment is required, along with written permission from your parent or guardian. If you are 12, 13 or 14 years of age, you can work only two hours on school days and eight hours on non-school days. You can't work between nine in the evening and six in the morning or during regular school hours.

Hiring young persons (15, 16 and 17 years of age)

Employment Standards does not impose any restrictions on the type of work a young person may be engaged in. However, certain occupations and times of the day are subject to restrictions.

There are restrictions if a young person works in:

- a place that sells food or drink
- a retail store
- a retail business selling gas or other petroleum or natural gas products
- a hotel or motel.

Young persons are not permitted to work in such business between midnight and 6 a.m. After 9 p.m. the young person must be in the continuous presence of at least one other individual 18 years old or older.

Young persons may work in other occupations after midnight if the following conditions are met:

- the young person's parent or guardian provides the employer with written consent to the employment
- the young person is always in the presence of at least one other individual 18 years of age or older.

To find out more about rules that apply to **hiring adolescents and young people**, contact Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards

Human rights protection related to age in the workplace

Human rights protection relating to age in employment applies to people 18 years or older. For example, an employer cannot say a person is too young or too old for a job if that person is 18 years old or older. This protection applies to:

- employment practices
- job applications and advertisements
- membership in trade unions, employees' organizations or occupational associations.

However, any worker can make a complaint of discrimination related to employment if they believe the discrimination is based on age, physical disability, race, gender or another ground protected under the *Human Rights, Citizenship and Multiculturalism Act*. See Key Contacts and Resources for a complete list of protected grounds.

For more information or to make a complaint, contact the confidential inquiry line at the Alberta Human Rights and Citizenship Commission:

Edmonton: (780) 427-7661
Calgary: (403) 297-6571
Toll-free: dial 310-0000 and then enter the local area code and phone number

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E-mail: humanrights@gov.ab.ca
Website: **www.albertahumanrights.ab.ca**

Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail.

Employers looking for hiring and interviewing tips beyond employment standards and human rights issues can find it in the publication *Finders & Keepers: Recruitment and retention strategies*, produced by Alberta Human Resources and Employment. You can get free copies in Alberta by calling the Alberta Career Information Hotline (see Key Contacts and Resources) or by ordering or downloading a copy from **www.alis.gov.ab.ca/careershop**

2 On the Job—Rights and Responsibilities

Special needs and circumstances

Alberta workplaces are becoming more diverse and multicultural. Under Alberta's human rights law, employers and workers have a responsibility to ensure diverse abilities and differing backgrounds are respected and accepted in the workplace.

Duty to accommodate

Employers have a duty to give all Albertans equal opportunity in the workplace by protecting human rights related to:

- race
- religious belief
- colour
- gender
- physical disability
- mental disability
- age
- ancestry
- place of origin
- marital status
- source of income
- family status
- sexual orientation.

To protect these rights, employers may need to modify:

- rules
- standards
- policies
- workplace attitudes or cultures
- workplace environment.

Employers and workers should discuss changes required to meet special needs.

Changes and adjustments could involve:

- buying or modifying tools, equipment or aids
- altering the premises to make them more accessible
- altering some job duties
- providing flexible work schedules
- offering rehabilitation programs
- providing time off for recuperation
- approving a transfer to a different job
- hiring an assistant
- using temporary employees
- relaxing requirements to wear a uniform.

The requirement under human rights law to change the workplace in such ways is called the **duty to accommodate**. Employers have a duty to accommodate up to the point of undue hardship. Undue hardship occurs if accommodation would create very difficult conditions for an employer, such as intolerable financial costs or a serious disruption to business.

The undue hardship standard is very high. As a result, employers are required to provide some accommodation in most situations.

Find out more about the **duty to accommodate** and **human rights in the workplace** by contacting the Alberta Human Rights and Citizenship Commission:

Edmonton: (780) 427-7661
Calgary: (403) 297-6571
Toll-free: dial 310-0000 and then enter the local area code and phone number

Deaf and hard of hearing callers with TTY units call (780) 427-1597 in Edmonton, (403) 297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

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E-mail: humanrights@gov.ab.ca
Website: **www.albertahumanrights.ab.ca**

Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail.

Alberta Human Resources and Employment offers Disability Related Employment Supports (DRES). DRES addresses barriers to employment for Albertans with disabilities. A variety of supports are available to persons with disabilities and employers who are accommodating the needs of workers with disabilities. For more information, visit the website at **www.gov.ab.ca/hre/dres** or phone the Alberta Career Information Hotline to find the nearest office.

Edmonton: (780) 422-4266
Toll-free: 1-800-661-3753 throughout Alberta

Deaf and hard of hearing callers with TDD units call (780) 422-5283 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Appearance and dress

Employers can set reasonable appearance and grooming standards for workers. These can include requiring workers to meet standards for neatness, grooming, safety and health, unless they interfere with a worker's religion or well-being.

If you have questions about **appearance and dress codes** in the workplace, call the Alberta Human Rights and Citizenship Commission's confidential inquiry line or visit the website:

Edmonton: (780) 427-7661
Calgary: (403) 297-6571
Toll-free: dial 310-0000 and then enter the local area code and phone number

Deaf and hard of hearing callers with TTY units call (780) 427-1597 in Edmonton, (403) 297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

For provincewide free access from a cellular phone enter *310 (for Rogers Wireless) or #310 (for Telus).

E-mail: humanrights@gov.ab.ca
Website: **www.albertahumanrights.ab.ca**

Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail.

Getting paid—How much?

The *Employment Standards Code* sets the minimum wage rate you must be paid each hour, whether you are paid a salary, commission or wages. The *Code* also tells workers (whether full-time, part-time, casual, pieceworkers, commissioned, students or salaried) and employers when and how wages are to be paid.

Minimum wage

Alberta's minimum wage ($5.90 an hour, at time of publication*) applies to most industries and workplaces. Minimum wage does not include tips, bonuses and expense money. If you work less than a three-hour shift, you are entitled to at least three hours of pay at minimum wage. However, the rules differ in some industries and some types of work (e.g. some salespeople and live-in domestic employees).

To find out more about the **minimum wage** and whether special rules apply to you or your workplace, contact Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards

*In February 2005, the Government of Alberta announced the province's minimum wage would increase to $7.00 per hour. Consultations are underway regarding the date the increase becomes effective. Check the Employment Standards website at **www.gov.ab.ca/hre/employmentstandards** for further updates.*

Working under contract

You may have hired or been hired under contract for a period of time or for a particular task. If you are doing work under contract, it may be considered as self-employment. In such cases, rules about pay, hours of work, Employment Insurance, Canada Pension Plan and Workers' Compensation coverage may not apply.

To clarify coverage for contract work you are offering or providing, contact the Canada Revenue Agency:

Workers, phone: 1-800-959-8281 throughout Alberta
Employers, phone: 1-800-959-5525 throughout Alberta
Deaf or hard of hearing callers with TTY call 1-800-665-0354

Website: **www.cra-arc.gc.ca**

Equal pay for similar work

Men and women working in the same place and performing the same or similar work are entitled under Alberta's human rights law to be paid at the same rate. Where there **are** differences in pay, they must be based on factors other than gender, such as experience, education or performance on the job.

Food and lodging deductions

When food and lodging are provided, employers can charge workers up to $1.90 per meal and $2.60 per day for lodging*. More information about food, lodging and work clothing deductions is available though Employment Standards (see Key Contacts and Resources in the last section of this book).

*Accurate at time of publication. These amounts will change when Alberta's new minimum wage increase ($7.00 per hour) takes effect. Check the Employment Standards website at **www.gov.ab.ca/hre/employmentstandards** for further updates.*

Getting paid—When and how?

Regular pay

Employers can decide whether to pay workers weekly, every second week or monthly (the longest pay period allowed). Workers must be paid no later than 10 days after the end of each pay period. Employers decide how payment is made, usually by:

- cash
- money order
- cheque
- direct deposit into your bank account.

When you work in a unionized setting, your collective agreement will determine when and how you are paid.

If your employer is using direct deposit, you may be asked for:

- the name of your bank or credit union
- your bank account number or a blank, unsigned cheque with the word VOID written across it.

Employers have a right to recover payroll overpayments. But the employer must prove the overpayment, then either get the employee's written permission to deduct it from their pay or begin legal action to recover the overpayment.

If you have questions about pay and deductions, first talk to your supervisor or employer. If you require more information, contact Employment Standards.

Overtime and overtime pay

Workers are entitled to time-and-a-half (1.5 times their regular hourly wage) for overtime work, generally for working more than 44 hours a week. Workers in most industries must work more than eight hours a day and more than 44 hours a week before overtime applies. And certain industries or jobs—for example, managers and supervisors or those working in oil well servicing—may have different rules for overtime and hours worked.

Sometimes, instead of paying overtime, employers agree to have workers take time off equal to the overtime worked. During hiring, workers should ask and understand how they will be paid for overtime.

If you are still unsure about how **overtime** works in different jobs and industries, contact Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards

Vacation pay

Your vacation pay depends on how much you earn and how long you have worked for an employer. Vacation pay is a percentage of regular wages. This means your vacation pay is not increased or decreased by:

- overtime pay
- general holiday pay
- bonuses
- expense allowances.

After working one year with the same employer, you are entitled to two weeks of vacation pay or an amount equal to four per cent of your regular pay. If you have worked less than a year when you leave, your vacation pay should be four per cent of your earnings. When working in construction or brush clearing, your vacation pay should equal six per cent of your wages.

Employers can pay vacation pay at any time but, if it hasn't already been paid out, vacation pay must be paid no later than the first scheduled payday after an employee's vacation begins.

General holiday pay

Alberta's nine general or statutory (stat) holidays are: New Year's Day, Alberta Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day. Employers may also decide to treat some other days as holidays. Most workers, including supervisors and management, are eligible for general holiday pay. Some workers, such as farm and ranch workers, are not.

If a holiday falls on your regular workday, you are entitled to be paid at least at your average daily wage, even though you have the day off work. To be eligible for holiday pay, you must have:

- worked for the employer for at least 30 working days or shifts in the 12 months before the general holiday
- worked your last scheduled shift before, and the first scheduled shift after, the holiday (you will remain eligible if you have your employer's permission to be absent for either or both of these shifts)
- not refused to work on the general holiday when asked to do so.

Holiday falls during annual vacation

When a general holiday falls during your annual vacation, your employer must extend your vacation by one day with pay or give you a paid day off before your next annual vacation starts.

More detailed information about **vacation and holiday pay** is available from Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: **www.gov.ab.ca/hre/employmentstandards**

Pay records

Employers must:

- prepare accurate, up-to-date employment records for each worker and keep the records for at least three years

Pay for Working on a Holiday

Worker's Situation	Employer Must Pay
Worker is entitled to holiday with pay and works on the holiday	Regular pay **plus** time-and-a-half (1.5 times) regular pay. In some cases, the employer can give a day off plus a regular day's pay, instead of paying time-and-a-half.
The holiday is worker's regular day off but he or she works on the holiday	1.5 times regular pay

- provide a **statement of earnings and deductions** (pay stub or pay slip). Workers should receive these pay stubs with their paycheque or when a direct deposit is made into their bank accounts
- answer workers' questions about calculation of earnings.

What does a statement of earnings look like?

Pay stubs vary somewhat depending on the employer, but a pay stub must include:

- worker's name
- pay period covered by the statement
- wage rate and overtime rate
- general holiday pay
- regular hours worked and earnings from regular hours
- overtime worked and earnings from overtime work
- time off earned instead of overtime, and earned time taken off
- deductions from earnings and reason for each deduction.

Approved deductions

Deductions from earnings may include:

- **Income tax deduction**—the amount the employer deducts for federal and provincial income taxes. The amount deducted depends on whether the worker is single or has children or other dependants.
- **Canada Pension Plan (CPP) contribution**—the amount workers contribute toward their Canada Pension if they are 18 years of age or older. A worker contributes every year until they retire—age 60 at the earliest. In 2004, the maximum amount a worker pays is $1,831.50, and it is deducted directly from their paycheque. The employer matches the worker's contributions.
- **Employment Insurance (EI) contribution**—the employer and worker both pay part of the EI contribution. The amount deducted depends on the worker's earnings.
- **Alberta Health Care Premium**—taken off to pay for the worker's health care.
- **Garnishee deduction**—made if there is a court order against part of a worker's pay to repay unpaid debts. (A person who is owed money by an employee obtains a court order and a specific amount of money is removed from the employee's pay and sent to the person who obtained the court order.)
- **Union remittances** (money sent to a union)—deducted if the workplace has a union and payment is authorized by the collective agreement between the union and the employer.

Other deductions, **which workers must approve in writing**, may include:

- employee pension plan contribution
- life insurance premium
- disability insurance premium
- extended health care premium
- dental plan premium
- parking
- charitable contributions
- social club contributions.

> ***If other members of your family are working, you may already be covered under their Alberta Health Care premium. Check to make sure you are not paying twice for health coverage.***

Other pay information

An employer may also decide to include the following information on the pay stub:

- **total earnings or gross pay**—the total pay before deductions in the latest pay period

- **net pay or net earnings**—the amount a worker receives after deductions are taken from total earnings
- **vacation pay**—the amount set aside or paid by the employer in the latest pay period for the worker's vacation pay.

Employers or workers who still have unanswered questions about **pay or deductions** should contact Alberta Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards

Keeping your own employment information

As a worker, you can help yourself by keeping your own records, including your pay stubs. If you think you have not been paid for all or some hours you worked, keep your own record of the days and numbers of hours worked. This information may be useful if you have to clarify something with your employer. It might also help if you decide to file an official complaint.

Taking time off while working

Hours of rest and work

Workers need adequate breaks while at work and between shifts. The following table lists the basic requirements an employer must provide.

Key Times Affecting Work Breaks and Shifts	Required Employee Rest Period or Time Off
Over 5 hours	At least one 30-minute paid or unpaid break or several shorter breaks totaling at least 30 minutes
12 hours	Maximum working period in a day, except in emergencies and some industries (for example, geophysical exploration and oilwell servicing).
8 hours	Minimum rest period between shifts, when the employer requires the worker to change from one shift to another
24 hours	Minimum period for being notified of a shift change
1 day	Minimum rest period each week. Rest days can be saved for use at one time within a four-week period.
24 consecutive days	Maximum consecutive days required work. Must be followed by four consecutive days of rest.

What is work time?

An employee is working when providing a service for an employer. That work can include:

- attending meetings or training at the employer's request
- travelling between job locations.

Commuting to and from your workplace is not work.

Taking vacations

After 12 months working for an employer, you are entitled to the amount of vacation with pay shown in the following table.

Length of Employment	Minimum Vacation
After 1, 2, 3 or 4 years	2 weeks
After 5 years	3 weeks

- Employers have the final say on when workers take their vacation if a mutually agreeable time for the vacation cannot be found.
- Workers are entitled to take vacations in one unbroken period or in shorter periods not less than a day.
- Workers should ask in writing if they want to take only part of their annual vacation.

Safety on the job

By working together, employees and workers can create healthy and safe workplaces. Workers aged 15 to 24 are one-third more likely than those over 25 to be injured at work. For this reason, it is especially important for young employees, and those who employ them, to pay attention to workplace safety.

If a workplace is unsafe, government Occupational Health and Safety officers can require changes or shut down equipment or the whole workplace.

Looking for safety tips?

If you are new to the workplace, you can find useful workplace health and safety information in the publication *X-treme Safety: Survival tips for rookies in the workplace* produced by Alberta Human Resources and Employment. You can get free copies in Alberta by calling the Alberta Career Information Hotline (see Key Contacts and Resources) or by ordering or downloading a copy from **www.alis.gov.ab.ca/careershop**

Worksite hazards and controls

Alberta's *Occupational Health and Safety Code* requires employers to eliminate or control existing or potential hazards. Most workers are covered by Alberta's *Code*. Exceptions include domestic workers (such as nannies and housekeepers) and persons working at home, federal government employees and workers in federally regulated industries (for example, banks and transportation companies with workers who cross provincial borders), farmers and certain agricultural workers.

Worker safety responsibilities

On the job, workers must make sure they are:

- working safely and co-operating with the employer by following health and safety rules on the job
- using safety and personal protective equipment
- taking part in safety training, including Workplace Hazardous Materials Information System (WHMIS) training
- reporting unsafe working conditions to the employer or supervisor.

If you have concerns about workplace health and safety, talk to your supervisor. If you still aren't satisfied, speak to your supervisor's boss. If the situation still doesn't change or improve, call Workplace Health and Safety.

For more information or to express concerns about **workplace health and safety issues**, call the Alberta Workplace Health and Safety Contact Centre:

Edmonton: (780) 415-8690
Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website: **www.whs.gov.ab.ca**
for information or to file a complaint
www.worksafely.org
for additional health and safety information

Can I be fired for refusing to work in unhealthy or unsafe working conditions?

No. It's against Alberta law to fire a worker for refusing to work in unhealthy or unsafe working conditions that are in violation of the *Occupational Health and Safety Code*.

If you get hurt on the job:

- tell your employer
- get medical treatment, if needed
- complete a Workers' Compensation Board Report of Injury form.

Employer safety responsibilities

On the job employers must make sure they are:

- protecting the health and safety of workers
- assessing and controlling workplace hazards
- informing workers of any danger on the work site
- setting safe work practices and making sure these practices are followed
- making sure workers have proper skills and training to do their jobs safely
- keeping equipment in safe working order
- labelling and storing dangerous chemicals properly
- monitoring workers who may be exposed to certain controlled products (and, in some cases, require health examinations)
- reporting serious workplace injuries and fatalities to Alberta Workplace Health and Safety.

Working alone

With some exceptions, it is legal for employees in Alberta to work alone. Special rules apply to workers age 15 to 18. A guide for employees and employers called *Working Alone Safely* is available on the Workplace Health and Safety website at **www.whs.gov.ab.ca**. Click on *Working Alone* on the left-hand menu.

Violence in the workplace

Physical violence, whether threatened or carried out, is a workplace hazard. To prevent violence in the workplace, the *Occupational Health and Safety Code* requires employers to:

- recognize workplace violence as a hazard
- develop policies and procedures to prevent and deal with workplace violence, including the steps of investigating, documenting and reporting any cases of violence
- teach workers to recognize workplace violence and to respond appropriately, including how to get help.

As a worker, you can help prevent workplace violence by:

- treating your co-workers, clients and the public with respect and dignity
- helping to develop policies and procedures that prevent violence
- taking part in education programs
- reporting incidents of workplace violence.

Employers have a responsibility to ensure that workers who complain about hazards and violence in the workplace are not penalized.

The Alberta Human Rights and Citizenship Commission deals with harassment in workplaces when it relates to any of the 13 grounds protected under Alberta's human rights law. These grounds relate to race, religious belief, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

If you have questions about **workplace harassment**, call the Commission's confidential inquiry line or visit the website:

Edmonton: (780) 427-7661
Calgary: (403) 297-6571
Toll-free: dial 310-0000 and then enter the local area code and phone number

Deaf and hard of hearing callers with TTY units call (780) 427-1597 in Edmonton, (403) 297-5639 in Calgary or 1-800-232-7215 toll-free in other Alberta locations.

For provincewide free access from a cellular phone enter *310 (for Rogers Wireless) or #310 (for Telus).

E-mail: humanrights@gov.ab.ca
Website: **www.albertahumanrights.ab.ca**

Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail.

Being prepared for an emergency

It's best for everyone if injuries and emergencies in the workplace can be prevented, but sometimes emergencies happen. When they do, it's important to be ready to respond.

The employer's role

Employers need to have a plan for emergencies, such as fires, that may require rescue or evacuation. The plan should:

- be in writing
- be shared with all affected workers
- be kept up-to-date, reflecting current circumstances in the work site
- designate the workers who will provide rescue services and supervise evacuation procedures in an emergency.

You must provide designated rescue and evacuation workers with:

- emergency response training
- appropriate personal protective clothing and equipment, if required
- exercise drills to competently carry out their duties.

SAFETY TOOL KIT

Employers can download a *Health and Safety Tool Kit for Small Business* from Alberta Human Resources and Employment's website at **www.gov.ab.ca/hre/whs/publications/pdf/SMB001.pdf**

The worker's role

You can contribute to emergency response and preparedness in your workplace by:

- asking if your employer has an emergency response plan
- knowing where the plan is kept
- reading and reviewing the plan
- knowing your responsibilities in an emergency
- making sure you have proper training and equipment if your employer asks you to provide rescue services or supervise an evacuation
- suggesting improvements to the plan.

If you still have questions about **workplace health and safety** issues, contact the Alberta Workplace Health and Safety Contact Centre:

Edmonton: (780) 415-8690
Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.whs.gov.ab.ca
for information or to file a complaint
www.worksafely.org
for additional health and safety information

Workers' Compensation

Most Alberta employers are required by law to protect themselves and to provide their employees, regardless of age, with liability and disability insurance for work-related injuries and illnesses. This no-fault insurance is provided through the Alberta Workers' Compensation Board (WCB), which:

- pays an injured worker's disability payments and medical expenses whether or not that employee was responsible for the work-related injury
- assists with the worker's treatment program
- helps injured workers gradually return to their regular job through modified work programs.

Who is covered by WCB?

WCB covers workers whether they are:

- full-time
- part-time
- casual
- temporary
- contract employees
- subcontactors (if considered employees).

Some industries are not required to provide WCB coverage. To check if this applies to your industry or for other questions about workers' compensation, contact the WCB.

For all general inquiries,
contact the WCB by phone or e-mail:

Edmonton: (780) 498-3999
Toll-free: 1-866-WCB-WCB1 (1-866-922-9221)
in other Alberta locations

Deaf or hard of hearing callers with
TDD should call (780) 498-7895

E-mail (Web form): Go to
www.wcb.ab.ca/contact/generaleform.asp
and fill in the form to send and receive e-mails.

Website: **www.wcb.ab.ca**

For a list of industries exempt from
WCB coverage, go directly to:
www.wcb.ab.ca/pdfs/exempted_industries.pdf

The employer's role

Employers pay all of the WCB premiums—nothing is deducted from a worker's wages or salary for WCB. The premiums the employer pays are based on the worker's gross earnings, including wages, piecework payment, commissions, bonuses, payment for on-the-job training and holiday pay.

Employers must:

- tell workers about their WCB coverage
- keep records of WCB payments and claims information
- report any injuries to WCB, including reporting when an employee returns to work after an injury
- help injured employees return to work. See *Duty to accommodate*.

Employers must report injuries to the WCB if it is likely that the worker will be off the job beyond the day the injury happened or the worker will need to do different work as a result of the injury. Employers must also report if the injury requires ongoing medical treatment or results in permanent disability. An employer must report an injury to the WCB within 72 hours of being notified of the injury.

The worker's role

If you are injured or require medical attention while at work:

- see a doctor immediately
- tell your employer what happened
- if necessary, have your employer complete a WCB Employer's Report of Injury form.

Is there a waiting period before WCB coverage begins?

No. If your employer is in an industry that must have Workers' Compensation coverage, you are covered as soon as you start your job.

Right to organize and belong to unions

Unions are organizations that negotiate on an employee's behalf for better wages, benefits and working conditions. The Alberta *Labour Relations Code*, which is administered by the Alberta Labour Relations Board, deals with:

- how unions are formed
- how a worker can join a union
- the rights of employers, workers and unions in unionized workplaces.

Under the *Labour Relations Code*, most Alberta workers have the right to form or join unions and engage in collective bargaining with their employer. Workers not covered by the *Code* include farm and ranch workers, domestic workers, certain professionals (such as doctors, dentists and lawyers), workers under federal jurisdiction and people who are self-employed.

Depending on their job, workers in a unionized workplace may be required to join a union within a certain time. In closed-shop companies, which are quite common in the construction industry, workers must belong to a union before they can be employed.

Union dues

Unions can collect dues from their members. The *Code* allows an employer to collect dues and pass these on to the union if the worker agrees to this in writing.

Employees interested in working collectively for labour relations purposes can create a new trade union. To do this they must draft a constitution and bylaws, which must be filed with the Labour Relations Board.

The *Labour Relations Code* outlines how employees can ask for a democratic vote in their workplace to:

- certify a union as a bargaining unit
- revoke a union as a bargaining unit.

An employer or a union cannot take action against workers who try to form a union or attempt to have a union removed.

Other labour relations issues

You can contact the Labour Relations Board about other labour relations issues, including:

- unfair labour practices
- strikes and lockouts
- collective bargaining
- arbitration and mediation.

The Board also produces an overview of labour relations called *A Guide To Alberta's Labour Relations Laws*.

For more information,
contact the Alberta Labour Relations Board:

Edmonton: (780) 422-5926
Calgary: (403) 297-4334
Toll-free: 1-800-463-2572 in other Alberta locations

E-mail: alrbinfo@gov.ab.ca
Website: **www.gov.ab.ca/alrb**

> ***If I am on strike or locked out, am I still an employee? Can I get my job back once the strike or lockout is over?***

Yes. Although not entitled to pay, you cannot be fired for being on strike or locked out by your employer. When the strike or lockout ends, you are entitled to get your job back.

Protecting personal information and privacy

Alberta has two laws that deal with the collection, use and disclosure (sharing) of personal information of employees:

- the *Personal Information Protection Act (PIPA)*, covering personal information about employees in the private sector
- the *Freedom of Information and Protection of Privacy Act (FOIP)*, covering personal information about employees of the provincial government and other public agencies, such as school boards and hospitals.

Privacy legislation recognizes that employers need to collect, use and disclose certain personal information of employees and people applying for work. This is part of managing the ongoing relationship in the workplace.

Collecting and using personal information

When an employer collects personal information from an employee, the employer must state the purposes for the collection and how the personal information may be used or disclosed. Normally, employers collect personal information directly from employees, but privacy legislation does allow for indirect collection in some cases. For example, information may be collected from a previous employer as part of checking references. Employers can only collect work-related information about a job candidate.

Examples of the most common types of personal information collected by employers include:

- name, address, telephone number, date of birth
- Social Insurance Number
- résumés and references
- education history
- beneficiary information.

Employers normally use personal information for purposes such as:

- staffing, including recruitment, resignation and termination
- payroll and benefits, including hours worked and scheduling shifts
- performance evaluation
- training and development programs
- workplace health and safety programs.

Disclosing personal information

A few employees will have access to your personal information if they need it to do their job. For example, your supervisor and the payroll clerk may use information on a regular basis.

Your employer also has an obligation to restrict access to your information by people not working in your company. However, some information will be disclosed to certain organizations: for example, to Canada Revenue Agency for tax purposes or to a benefit provider such as Alberta Blue Cross.

Privacy legislation permits employers to give out information about employees in certain circumstances, such as:

- providing an employee's business contact information in a company phone book or website
- contacting family in an emergency
- assisting in a law enforcement investigation
- passing along information to a third party when the employee makes the request, for example, to confirm the employee's salary with a bank
- disclosing information when required by law, such as during an investigation into a workplace accident.

As a worker, you have a right to:

- request access to your own personal information and to receive an explanation for any information that is withheld
- know how your personal information has been used or released
- ask for a correction if there are mistakes in your personal information.

You cannot see personal information about another employee.

Private Sector

For information or to make a complaint about workplace privacy in the **private sector**, contact:

Office of the Information and Privacy Commissioner
Suite 500, 640–5th Avenue SW
Calgary, Alberta T5P 3G4

Phone: (403) 297-2728
Toll-free: 1-888-878-4044
E-mail: generalinfo@oipc.ab.ca
Website: **www.oipc.ab.ca**

For information on the *Personal Information Protection Act (PIPA)*, contact:

Access and Privacy Branch
Alberta Government Services
3rd Floor, Commerce Place
10155–102 Street
Edmonton, Alberta T5J 4L4

Phone: (780) 644-7472
E-mail: pspinfo@gov.ab.ca
Website: **www.pipa.gov.ab.ca**

Public Sector

For information or to make a complaint about workplace privacy in the **public sector**, contact:

Office of the Information
and Privacy Commissioner
410, 9925–109 Street
Edmonton, Alberta T5K 2J8
Phone: (780) 422-6860
Toll-free: 1-888-878-4044
E-mail: generalinfo@oipc.ab.ca
Website: **www.oipc.ab.ca**

For information on the *Freedom of Information and the Protection of Privacy Act (FOIP)*, contact:

Access and Privacy Branch
Alberta Government Services
3rd Floor, Commerce Place
10155–102 Street
Edmonton, Alberta, T5J 4L4

Phone: (780) 427-5848
E-mail: foiphelpdesk@gov.ab.ca
Website: **www.gov.ab.ca/foip**

Deaf or hard of hearing persons with a TTY can reach Alberta government offices by dialing (780) 427-9999 in Edmonton or 1-800-232-7215 in other Alberta locations.

3 Leaving the Job

Leaving a job temporarily

You may decide to take weeks, months or even years off work. If your employer agrees, you may return or be rehired later. This is not something your employer must do because of government rules. But there is one situation where you are entitled to return after temporary leave from work and your employer must accept you back. That is maternity or parental leave.

Maternity and parental leave

If you are a full-time or part-time employee and you have worked 52 continuous weeks with the same employer (or with a break in employment of less than three months), you are entitled to:

- 15 weeks of unpaid maternity leave and 37 weeks of unpaid parental leave
- return to your job or an equivalent job after the maternity and parental leave
- work your usual number of hours and not be laid off or forced to resign because of your pregnancy or childbirth.

As a new parent through birth or adoption, you may qualify for maternity or parental pay under the Government of Canada's Employment Insurance program.

For information on **Employment Insurance maternity and parental benefits**, including questions about whether you qualify, contact Human Resources and Skills Development Canada:

Phone: 1-800-206-7218 toll-free

Deaf and hard of hearing persons with a TTY call 1-800-890-6096 toll-free.

Website: **www.hrsdc-rhdcc.gc.ca**
Click on Programs & Services, then choose Employment Insurance from the drop-down menu.

Maternity and Parental Leave Under Alberta's *Employment Standards Code*

Entitlement	Who Can Claim	How Long	Start Date
Unpaid maternity	Birth mothers	Up to 15 weeks	From 12 weeks before due date to date of child's birth
Unpaid parental leave Can be taken by one of the parents or shared by two parents if their employers are notified	• Birth mothers • Fathers • Adoptive parents	Up to 37 consecutive weeks	When maternity leave is finished. Birth fathers or adoptive parents can start their parental leave any time within 52 weeks after the child is born or adopted.

What if I haven't worked for the same employer for 52 consecutive weeks and do not qualify for maternity leave under the Employment Standards Code? Can my employer fire me because I am pregnant?

Under human rights law, your employer cannot fire you, lay you off, reduce your hours of work or make you resign because of pregnancy or childbirth. This applies even if you have not worked for the employer for 52 consecutive weeks.

An employer must accommodate the health-related consequences of pregnancy and childbirth up to the point of undue hardship. Even if you don't qualify for maternity or parental leave under the *Employment Standards Code*, you will be able to take sick leave as required—just remember that you have to give reasonable notice.

For more information about human rights law and pregnancy in the workplace, contact the Alberta Human Rights and Citizenship Commission (see Key Contacts and Resources).

Giving notice about pregnancy or parental leave

When taking maternity or parental leave, you must give your employer written notice of at least:

- six weeks before taking leave
- four weeks before you plan to return to work
- four weeks if you decide to change the day you are returning to work.

An employer does not have to allow a worker to return to work after maternity or parental leave if the worker did not:

- give proper notice
- didn't report for work the day after the leave ended.

When can I return to work after giving birth?

After giving birth, you must take at least six weeks off work unless you have a medical certificate that says returning to work sooner will not endanger your health.

BECOMING A PARENT

Becoming a Parent in Alberta, produced by Alberta Human Resources and Employment, answers many questions about maternity, parental leave and Employment Insurance benefits. Call Employment Standards or visit the website to get your free copy.

Edmonton: (780) 427-3731
Toll-free: dial 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards
Choose Maternity & Parental Leave from the left-hand menu.

Sick leave

Although workers are not entitled to paid sick leave under the Alberta *Employment Standards Code*, many Alberta employers do offer paid sick leave, as well as long- and short-term disability pay.

Employers have a duty under Alberta's *Human Rights, Citizenship and Multiculturalism Act* to accommodate employees with disabilities. See the section *Duty to accommodate*.

Compassionate leave

Workers aren't entitled to paid or unpaid bereavement or compassionate leave for such things as attending a funeral or caring for a dying relative, but some employers do offer such leaves as part of their benefit plans.

Compassionate leave—Employment Insurance benefits

The federal Employment Insurance program provides temporary financial assistance for unemployed Canadians while they look for work or upgrade their skills. In addition, Canadians who are sick, pregnant or caring for a newborn or adopted child, as well as those who must care for a family member who is seriously ill with a significant risk of death, may also be eligible for Employment Insurance benefits. For more information, contact Human Resources and Skills Development Canada:

Phone: 1-800-206-7218 toll-free
Deaf and hard of hearing callers with TTY units call 1-800-890-6096.

Website: **www.hrsdc-rhdcc.gc.ca**
Click on Programs & Services and choose Employment Insurance from the drop-down menu.

Layoffs and recalls

Employers can temporarily lay off workers for up to 60 days without giving a termination notice. If not recalled within 60 days, workers must receive a termination notice or termination pay (see the sections *Time worked and notice required* and *Payment upon termination of employment*). If you do not return to work within seven days of receiving a written recall notice, you are not entitled to termination notice or termination pay.

Leaving a job permanently

You may voluntarily leave a job permanently to take other work, to study or for other reasons. Or employers may ask a worker to leave a job—possibly because of lack of work or because of something the worker did or did not do.

An employer cannot fire you for discriminatory reasons, even if they give the appropriate notice. For example, an employer cannot fire a worker because they are gay or lesbian, since that would be discrimination based on sexual orientation.

Time worked and notice required

Usually, when leaving a job, you must give your employer written notice. Employers must usually give employees written notice. There are some exceptions. Call Employment Standards if you have questions. For both workers and employers, the notice required depends on how long an employee has worked continuously for the employer.

Once you have given notice, your employer can't reduce your pay or any other conditions of your employment, such as the overtime rate or vacation pay.

An employer can ask a worker to stop working immediately or partway through a notice period instead

of giving notice. But in this case, the employer must pay the worker the amount they would have earned if they had worked during the notice period.

There are different rules as to when termination notice is not required:

from **employer or worker**

- when work is in the construction industry
- when work involves a fixed term or task of less than 12 months
- when work is seasonal
- when work is casual
- when layoff is temporary (less than 60 days).

from **worker**

- if stopping work for personal health or safety reasons
- if leaving because of reductions in wage or overtime rates or in vacation, general holiday or vacation pay.

from **employer**

- if worker refuses employer's offer of reasonable alternate work
- for temporarily layoff (less than 60 days)
- if work is unavailable because of strike or lockout
- if a worker is terminated for just cause.

Notice Required If You Are a Worker

How Long You Have Worked	How Much Notice Your Employer Must Be Given
Less than 3 months	No notice needed
Over 3 months but less than 2 years	1 week termination notice
2 years or more	2 weeks termination notice

Noticed Required If You Are an Employer

How Long Employee Has Worked	How Much Notice Employee Must Be Given
Less than 3 months	No notice needed
Over 3 months but less than 2 years	1 week notice
Over 2 years but less than 4 years	2 weeks notice
Over 4 years but less than 6 years	4 weeks notice
Over 6 years but less than 8 years	5 weeks notice
Over 8 years but less than 10 years	6 weeks notice
10 years or more	8 weeks notice

Just cause

An employer can terminate employment without giving notice when there is just cause, if it is proven that a worker has:

- falsified qualifications
- engaged in sexual harassment
- been in a conflict of interest
- a competing interest, for example, setting up a similar business
- not followed health and safety requirements.

An employer can also terminate without notice if a worker's behaviour has involved:

- disobedience
- theft
- fraud or dishonesty
- insolence (disrespectful behaviour) or insubordination (refusing to obey instructions).

When just cause is used as a reason for firing, employers must make sure a worker's human rights are protected.

Payment upon termination of employment

When you leave a job permanently, you are entitled to receive your final pay within certain time periods.

More detailed information about **pay when a job ends** is available from Employment Standards:

Edmonton: (780) 427-3731
Toll-free: call 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Website:
www.gov.ab.ca/hre/employmentstandards

Notice Situation	When Pay is Due
If the employer gives notice or payment instead of notice	3 days after last day of work
If no notice is required by the employer	10 days after last day of work
If the worker gives notice	3 days after last day of work
If no notice is required by the worker	10 days after last day of work
If notice is required but not given by the worker	10 days after the date when notice would have ended if notice had been given

Record of Employment

When you leave a job permanently, your employer should prepare and give you a Record of Employment that says:

- when you were employed
- what you were paid
- why you stopped work.

The Record of Employment affects whether or not you receive Employment Insurance payments, including how much and for how long.

For information about
Records of Employment, contact Human Resources and Skills Development Canada:

Phone: 1-800-206-7218 toll-free
Deaf and hard of hearing callers with TTY units call 1-800-890-6096 toll-free.

Website: **www.hrsdc-rhdcc.gc.ca**
Click on Programs & Services and choose Employment Insurance from the drop-down menu. From the Employment Insurance page, choose Record of Employment on the Web for Employers.

Making complaints—How long do you have?

Besides helping you find answers about workplace rights and responsibilities, the agencies mentioned throughout this book enforce rules, regulations and laws. Employers or workers who feel they have been treated improperly can make formal, written complaints or appeals, but these complaints and appeals must be made within certain time limits.

Rules prevent an employer from firing you for filing complaints or helping with an investigation.

Resolving workplace conflicts

Alberta Human Resources and Employment's publication *Let's Talk: A guide to resolving workplace conflicts* contains useful information about dealing with workplace disputes and conflicts. You can get a free copy by calling the Alberta Career Information Hotline (see Key Contacts and Resources) or by ordering or downloading a copy from **www.alis.gov.ab.ca/careershop**

Complaint Deadlines

Agency	When Pay is Due
Workers' Compensation Board	Within 1 year of a decision
Alberta Human Rights and Citizenship Commission	Within 1 year of an alleged incident
Employment Standards	6 months from a worker's last day of work
Privacy Commissioner Alberta's *Personal Information Protection Act*	Within 30 days of a decision being appealed
Freedom of Information and Protection of Privacy Act	Those covered by the *Act* have 30 days to reply to an access request.

Key Contacts and Resources

Making the right call—Key workplace contacts

Workers and employers can call the following organizations for:

- clarification
- written information about a variety of topics.

You can also call these numbers if you want to find out about making a formal complaint or appealing a decision. Remember, you don't have to give your name when calling for information.

For questions about	Contact
Alberta's Employment Standards • payment of earnings • deductions from earnings • employee statement of earnings • employer records • exempted jobs and industries • general holidays and holiday pay • hiring young people under 18 • hours of work and rest • maternity and parental leave • minimum wage • overtime and overtime pay • termination and termination pay • vacations and vacation pay	**Alberta Human Resources and Employment** Employment Standards Phone: (780) 427-3731 Toll-free: dial 310-0000 and enter (780) 427-3731 Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations. Website: **www.gov.ab.ca/hre/employmentstandards**
Human Rights in the Workplace Discrimination based on: • age • ancestry • colour • family status • gender • marital status • mental disability	**Alberta Human Rights and Citizenship Commission** **Edmonton** Northern Regional Office 800 Standard Life Centre 10405 Jasper Avenue Edmonton, Alberta T5J 4R7 **Confidential Inquiry Line:** (780) 427-7661 Fax (780) 427-6013

For questions about	Contact
Human Rights in the Workplace *(continued)* • physical disability • place of origin • race • religious belief • sexual orientation • source of income Other topics include: • appearance and dress codes • duty to accommodate • equal pay for same or similar work • employment advertising • fairness in hiring • fitness testing, including testing for physical strength, psychological testing, physical and mental health medical exams, and drug and alcohol testing • inclusive workplaces • job interviews • leave for pregnancy, childbirth, adoption • respect in the workplace • sexual harassment	**Calgary** Southern Regional Office Suite 310, 525–11 Avenue SW Calgary, Alberta T2R 0C9 **Confidential Inquiry Line:** (403) 297-6571 Fax (403) 297-6567 For provincewide free access from a cellular phone, enter *310 (for Rogers Wireless) or #310 (for Telus). TTY service for persons who are deaf or hard of hearing Edmonton: (780) 427-1597 Calgary: (403) 297-5639 Toll-free: 1-800-232-7215 E-mail: humanrights@gov.ab.ca Website: **www.albertahumanrights.ab.ca** Contact the Commission by telephone or regular mail about specific situations or to make a human rights complaint. Because of confidentiality concerns, the Commission cannot reply to complaints of discrimination by e-mail. If the job is federally regulated, the Commission will refer callers to the Canadian Human Rights Commission.
Workplace Health and Safety • emergency response and preparedness • exempted employment and industries • firing for reporting • injury and fatality reporting • refusing unsafe work • safety training • safety equipment • unsafe equipment • unsafe workplaces • working alone • workplace violence and harassment • worksite hazards and controls	**Alberta Human Resources and Employment** Workplace Health and Safety Contact Centre Edmonton: (780) 415-8690 Toll-free: 1-866-415-8690 Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations. Website: **www.whs.gov.ab.ca**

For questions about	Contact
Workers' Compensation • disability payments • employees, employers and industries covered and not covered • help returning to work • medical expenses • premiums, including calculation • reporting injuries • records and claims information • subcontractors	**Workers' Compensation Board – Alberta** Phone: (780) 498-3999 Toll-free: 1-866-WCB-WCB1 (1-866-922-9221) Deaf or hard of hearing callers should phone (780) 498-7895 E-mail (Web form): Go to www.wcb.ab.ca/contact/generaleform.asp and fill in the form to send and receive e-mails Website: **www.wcb.ab.ca**
Labour Relations • forming, joining, changing or removing a union • rights during a strike or lockout • collective bargaining • union membership and dues • unfair labour practices • arbitration and mediation • fair representation by unions.	**Alberta Labour Relations Board** Edmonton: (780) 422-5926 Calgary: (403) 297-4334 Toll-free: 1-800-463-2572 E-mail: alrbinfo@gov.ab.ca Website: **www.gov.ab.ca/alrb**
Personal Information of Employees • defining personal information • collecting, using and disclosing employee information • employee consent for release of information • gathering information during hiring and recruiting • storing and using employee personal information • accessing or correcting your own personal information	**Office of the Information and Privacy Commissioner** **Private Sector (PIPA)** For questions or concerns, **individuals** should contact: Office of the Information and Privacy Commissioner Suite 500, 640–5th Avenue SW Calgary, Alberta T5P 3G4 Phone: (403) 297-2728 Toll-free: 1-888-878-4044 E-mail: generalinfo@oipc.ab.ca Website: **www.oipc.ab.ca** For information on the *Personal Information Protection Act (PIPA)*, contact: Access and Privacy Branch Alberta Government Services 3rd Floor, Commerce Place 10155–102 Street Edmonton, Alberta T5J 4L4

For questions about	Contact
Personal Information of Employees *(continued)*	Phone: (780) 644-7472 E-mail: pspinfo@gov.ab.ca Website: **www.pipa.gov.ab.ca** **Public Sector** For questions or concerns about public agencies (including school boards and hospitals), contact: Office of the Information and Privacy Commissioner 410, 9925–109 Street Edmonton, Alberta T5K 2J8 Phone: (780) 422-6860 Toll-free: 1-888-878-4044 E-mail: generalinfo@oipc.ab.ca Website: **www.oipc.ab.ca** For information about the *Freedom of Information and the Protection of Privacy Act*, contact: Access and Privacy Branch Alberta Government Services 3rd Floor, Commerce Place 10155–102 Street Edmonton, Alberta T5J 4L4 Phone: (780) 427-5848 E-mail: foiphelpdesk@gov.ab.ca Website: **www.gov.ab.ca/foip** Deaf and hard of hearing persons with a TTY can reach Alberta government offices by dialing (780) 427-9999 in Edmonton or 1-800-232-7215 in other Alberta locations.

For questions about	Contact
Employment Insurance • Record of Employment • EI deductions **Social Insurance Numbers (SIN)** • obtaining a Social Insurance Number • replacing a lost or stolen SIN card **Canada's Labour Program** • *Canada Labour Code* • occupational health and safety • fire prevention • workplace equity	**Human Resources and Skills Development Canada** For questions about **Employment Insurance** or **Social Insurance Numbers**: Phone: 1-800-206-7218 toll-free Deaf and hard of hearing persons with a TTY call 1-800-890-6096 toll-free. For questions about **Canada's Labour Program**: Phone: 1-866-713-4397 toll-free Website: **www.hrsdc-rhdcc.gc.ca**
Income Security Programs • Canada Pension Plan • Old Age Security	**Social Development Canada** Phone: 1-800-277-9914 toll-free Deaf and hard of hearing persons with a TTY call 1-800-255-4786 toll-free. Website: **www.sdc-dsc.gc.ca** *Click on Programs & Services, then choose Income Security Programs from the drop-down menu.*
Federal and Provincial Tax Deductions	**Canada Revenue Agency** **Employers** call 1-800-959-5525 toll-free throughout Alberta. **Employees** call 1-800-959-8281 toll-free throughout Alberta. Deaf and hard of hearing callers with a TTY call 1-800-665-0354 toll-free. Website: **www.cra-arc.gc.ca**

Alberta Human Resources and Employment

This government department has a website, call centres, and a provincewide network of service centres with a variety of programs, services and publications to help you make informed employment decisions. You can access the department's programs and services in one of three easy ways: call, click or come in.

CALL

Alberta Career Information Hotline
The Hotline is a career consulting and referral service. Contact the Hotline to find out more about the workplace, work search skills, career and education planning, and occupations. A Hotline advisor can connect you with programs and services in your community.

Edmonton: (780) 422-4266
Toll-free: 1-800-661-3753 throughout Alberta

Deaf and hard of hearing callers with TDD units call (780) 422-5283 in Edmonton or 1-800-232-7215 for message relay service.

E-mail: hotline@alis.gov.ab.ca

The **Employment Standards** helpline can provide both employers and workers with information and assistance.

Phone: (780) 427-3731
Toll-free: dial 310-0000 and enter (780) 427-3731

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

The **Workplace Health and Safety Contact Centre** offers information to workers and employers and can be used to report workplace safety concerns.

Edmonton: (780) 415-8690
Toll-free: 1-866-415-8690

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

The **Alberta Labour Relations Board** is a source of information on labour union issues.

Edmonton: (780) 422-5926
Calgary: (403) 297-4334
Toll-free: 1-800-463-2572

CLICK

Alberta Career Information Hotline website:
www.alis.gov.ab.ca/hotline

Employment Standards website:
www.gov.ab.ca/hre/employmentstandards

Workplace Health and Safety website:
www.whs.gov.ab.ca

Labour Relations Board website:
www.gov.ab.ca/alrb

ALIS
www.alis.gov.ab.ca

The Alberta Learning Information Service (ALIS) website is your gateway to Alberta career, learning and employment information. It includes print and video career and workplace-related resources.

Alberta Human Resources and Employment service centres

Alberta Human Resources and Employment service centres are located throughout Alberta. Where they are also located with Human Resources and Skills Development Canada offices, they may be called Canada-Alberta Service Centres. The centres provide information about department programs and services, as well as information about the workplace, occupations, career options, education programs and funding, and finding work. To find the service centre nearest you, call the Alberta Career Information Hotline.

Youth Connections

Youth Connections is a free service that helps young people aged 16 to 24 prepare for learning and work by providing career employment assistance through a wide range of supports and services. Youth Connections provides work exploration activities, career and labour market information and other services to assist youth to explore and achieve their career and employment goals.

To find the Youth Connections office nearest you for more information call the Alberta Career Information Hotline:

Edmonton: (780) 422-4266
Toll-free: 1-800-661-3753 from elsewhere in Alberta

Deaf and hard of hearing callers with TDD units call (780) 422-5283 in Edmonton or 1-800-232-7215 for message relay service.

Website: **www.youthconnections.gov.ab.ca**

Alberta Human Resources and Employment publications

Alberta Human Resources and Employment produces a variety of publications to help you make informed career and employment decisions, including the following publications for employers and workers:

- *Finders & Keepers: Recruitment and retention strategies*
- *Let's Talk: A guide to resolving workplace conflicts*
- *X-treme Safety: Survival tips for rookies in the workplace*
- *Better Balance, Better Business: Options for work-life issues*
- *Skills by Design: Strategies for employee development*
- *Sources and Resources: Workplace rights and responsibilities* poster
- *Positive Works at Work* poster.

To get your copy of these free publications:

- order or download a copy from the ALIS website at **www.alis.gov.ab.ca/careershop**
- call the Alberta Career Information Hotline at 1-800-661-3753
- visit an Alberta Human Resources and Employment service centre or Youth Connections office. Call the Alberta Career Information Hotline for the office nearest you.

Becoming a Parent in Alberta (also available in French) contains helpful information on maternity and parental leave and Employment Insurance payments. To get a free copy of this publication, contact the Employment Standards branch of Alberta Human Resources and Employment by calling (780) 427-3731 in Edmonton or dialing 310-0000 toll-free and entering (780) 427-3731. A copy is also available on the website at **www.gov.ab.ca/hre/employmentstandards**

A Guide to Alberta's Labour Relations Laws is available from the Alberta Labour Relations Board by calling (780) 422-5926 in Edmonton, (403) 297-4334 in Calgary and 1-800-463-2572 toll-free in other Alberta locations.

Other provincial government resources

Service Alberta

For more information about Alberta government programs and services:

Phone: 310-0000 toll-free anywhere in Alberta

Deaf or hard of hearing callers with TTY can call (780) 427-9999 in Edmonton or 1-800-232-7215 toll-free in other Alberta locations.

Outside of Alberta call long distance at (780) 427-2711. Phone lines are open from 8 a.m. to 6 p.m. Monday to Friday and voicemail is available after hours.

Website: **www.gov.ab.ca**

Government of Canada

For information about federal government programs and services or to be directed to a Canadian government office, call 1-800-O-Canada (1-800-622-6232). Assistance is available from 8 a.m. to 8 p.m. Monday to Friday.

Deaf or hard of hearing callers with TDD/TTY call 1-800-465-7735 toll-free.

Website: **www.gc.ca**

Canada Labour Code

About 10 per cent of Alberta businesses fall under the *Canada Labour Code*. You are covered by the *Canada Labour Code* if you work in a company or business that:

1. **performs a function or duty on behalf of the Government of Canada. This includes:**
   - most federal Crown corporations and federal Special Operating Agencies
   - private businesses necessary for the operation of a federal act.
2. **is a federal undertaking of business. Federal undertakings or businesses include:**
   - marine shipping services such as:
     - the operation of ships anywhere in Canada
     - a line of ships or ferry service extending beyond the borders of a province, or of Canada
     - ports
   - air transportation, including:
     - airports and aerodromes
     - airlines
   - railways
   - road transportation (crossing provincial or international borders)
   - canals, pipelines, tunnels and bridges (crossing provincial or international borders)
   - telephone, telegraph and cable systems
   - radio and television broadcasting (including cablevision)
   - banks
   - grain elevators and feed and seed mills
   - uranium mining and processing
   - business dealing with protection of fisheries as a natural resource
   - many First Nations activities.

For more information about the *Canada Labour Code*, contact Human Resources and Skills Development Canada:

Phone: 1-866-713-4397 toll-free
Website: **www.hrsdc-rhdcc.gc.ca**

Notes

We'd Like To Hear From You!

A Guide to Rights & Responsibilities in Alberta Workplaces

Date: _____

Did you find the information in this publication useful? In what way?

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How could we improve it?

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Do you have any suggestions for other products that would be of value to you?

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Address _____

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Fax _____

Please Return this Form to:

People, Skills and Workplace Resources
Alberta Human Resources and Employment
12th Floor, Capital Health Centre, South Tower
10030–107 Street
Edmonton, AB T5J 3E4
Fax: (780) 422-5319

Explore your options on-line for Career, Learning and Employment information
www.alis.gov.ab.ca
• Career planning
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Alberta